

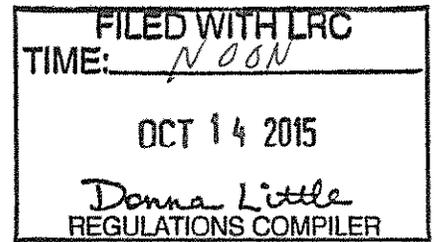
301 KAR 2:142

Spring wild turkey hunting

This administrative regulation establishes spring wild turkey hunting seasons, bag limits, legal methods of take, and other turkey hunting requirements.

Significant Changes

This amendment will allow Kentucky State Parks to establish youth-only and statewide spring hunting season opportunities for wild turkeys on state parks.



1 TOURISM, ARTS AND HERITAGE CABINET

2 Kentucky Department of Fish and Wildlife Resources

3 (Amendment)

4 301 KAR 2:142. Spring wild turkey hunting.

5 RELATES TO: KRS 150.175(7), (8), (15), (17), (18), 150.305, 150.990

6 STATUTORY AUTHORITY: KRS 150.025(1), 150.390(1)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025(1) authorizes the department

8 to promulgate administrative regulations establishing hunting seasons, bag limits, and the

9 methods of taking wildlife. KRS 150.390(1) prohibits a person from taking, pursuing, or

10 molesting a wild turkey in any manner contrary to the provisions of Chapter 150 or its

11 administrative regulations. This administrative regulation establishes season dates, shooting

12 hours, and other requirements for spring turkey hunting.

13 Section 1. Definitions. (1) "Wildlife Management Area" or "WMA" means a tract of land:

14 (a) Controlled by the department through ownership, lease, license, or cooperative agreement;

15 and

16 (b) That has "Wildlife Management Area" or "WMA" as part of its official name.

17 (2) "Youth" means a person under the age of sixteen (16) by the day of the hunt.

18 Section 2. Youth Turkey Season. There shall be a statewide youth-only turkey hunting season for

19 two (2) consecutive days beginning on the first Saturday in April.

20 Section 3. Statewide Turkey Season. There shall be a statewide turkey hunting season for

21 twenty-three (23) consecutive days beginning on the Saturday closest to April 15.

- 1 Section 4. Turkey Hunting Requirements. (1) A person shall not take more than:
- 2 (a) One (1) male turkey per day;
 - 3 (b) One (1) turkey with a visible beard per day;
 - 4 (c) Two (2) male turkeys per season; or
 - 5 (d) Two (2) turkeys with visible beards per season.
- 6 (2) A person shall not take a turkey using any device except the following equipment authorized
- 7 by 301 KAR 2:140:
- 8 (a) A firearm;
 - 9 (b) Archery equipment; or
 - 10 (c) A crossbow.
- 11 (3) A person shall only hunt turkeys from one-half (1/2) hour before sunrise until one-half (1/2)
- 12 hour after sunset.
- 13 (4) A person who is assisting or calling a turkey for a legal hunter shall not be required to
- 14 possess a hunting license or turkey permit.
- 15 Section 5. Wildlife Management Area Requirements. (1) Unless specified in this section, spring
- 16 season dates and the requirements of 301 KAR 2:140 shall apply to Wildlife Management Areas.
- 17 (2) Barren River WMA. On the Peninsula Unit, including Narrows, Goose Island, and Grass
- 18 Island, a person shall not use a breech-loading firearm to take a turkey.
- 19 (3) Higginson-Henry WMA. A person shall not use a firearm to take a turkey.
- 20 (4) Livingston County WMA. Statewide spring turkey season is open to youth only.
- 21 (5) Pioneer Weapons WMA. A person shall not use the following to take a turkey:
- 22 (a) A breech-loading firearm; or
 - 23 (b) A scope or optical enhancement.

1 (6) Robinson Forest WMA. A person shall not hunt turkeys on the main block of the WMA.

2 (7) West Kentucky WMA. Tracts marked with the letter "A" shall be closed for the statewide
3 turkey season established in Section 3 of this administrative regulation.

4 Section 6. Special Area Requirements. (1) Unless specified in this section, all the requirements
5 of this administrative regulation shall apply.

6 (2) A person shall comply with all federal requirements when hunting on the following federal
7 areas:

8 (a) Bluegrass Army Depot;

9 (b) Fort Campbell;

10 (c) Fort Knox;

11 (d) Land Between the Lakes; and

12 (e) Reelfoot National Wildlife Refuge.

13 (3) A spring turkey season, not to exceed twenty-three (23) days, shall be allowed between the
14 last Saturday in March and the second Sunday in May on the following areas:

15 (a) Bluegrass Army Depot;

16 (b) Fort Campbell;

17 (c) Fort Knox;

18 (d) Land Between the Lakes;

19 (e) Reelfoot National Wildlife Refuge; and

20 (f) Wendell H. Ford Regional Training Center.

21 (4) A turkey taken on the following areas shall be considered a bonus bird:

22 (a) Bluegrass Army Depot;

23 (b) Fort Campbell; and

1 (c) Fort Knox.

2 (5) A person shall not take more than one (1) turkey on the following areas:

3 (a) Land Between the Lakes; and

4 (b) Reelfoot National Wildlife Refuge.

5 (6) Otter Creek Outdoor Recreation Area. All statewide season requirements shall apply, except
6 that shooting hours shall be from one-half (1/2) hour before sunrise to noon each day.

7 Section 7. State Park Requirements. (1) A person shall not hunt on a state park except if the
8 person is approved to participate in a special hunt administered by the Kentucky Department of
9 Parks.

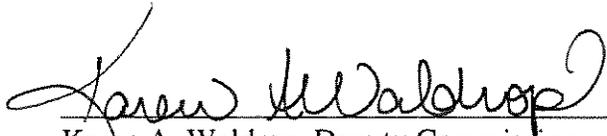
10 (2) A person participating in a state park turkey hunt shall:

11 (a) Hunt only during the season dates established in Sections 2 and 3 of this administrative
12 regulation;

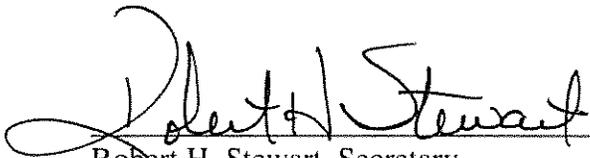
13 (b) Comply with turkey hunting requirements established in Section 4 of this administrative
14 regulation; and

15 (c) Comply with the requirements of 301 KAR 2:140.

Approved by the Fish and Wildlife Commission



Karen A. Waldrop, Deputy Commissioner, for
Gregory K. Johnson, Commissioner
Department of Fish and Wildlife Resources



Robert H. Stewart, Secretary
Tourism, Arts and Heritage Cabinet

10/7/15
Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 23, 2015, at 11:30 a.m. at the Department of Fish and Wildlife Resources in the Commission Room of the Arnold L. Mitchell Building, #1 Sportsman's Lane, Frankfort, Kentucky. Individuals interested in attending this hearing shall notify this agency in writing by five business days prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled.

This hearing is open to the public. Any person who attends will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made.

If you do not wish to attend the public hearing, you may submit written comments on the proposed administrative regulation through November 30, 2015.

Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to:

Rose Mack
Department of Fish and Wildlife Resources
Arnold L. Mitchell Building
#1 Sportsman's Lane
Frankfort, Kentucky 40601
(502) 564-3400
FAX (502) 564-9136
Email fwpubliccomments@ky.gov

Regulatory Impact Analysis and Tiering Statement

301 KAR 2:142. Spring wild turkey hunting.
Contact Person: Rose Mack

(1) Provide a brief summary of:

- (a) What this administrative regulation does: This regulation establishes spring wild turkey hunting seasons, bag limits, legal methods of take, and other turkey hunting requirements.
- (b) The necessity of this administrative regulation: This regulation is necessary to provide adequate wild turkey hunting opportunity and to properly manage the wild turkey population in Kentucky.
- (c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 150.025(1) authorizes the department to promulgate administrative regulations establishing hunting seasons, bag limits, and the methods of taking wildlife. KRS 150.390(1) authorizes the department to establish restrictions on hunting wild turkey.
- (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation will fulfill the purposes of KRS 150.025 and 150.390 by defining the seasons, bag limits, and methods of take used to manage wild turkeys in Kentucky.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

- (a) How the amendment will change this existing administrative regulation: This amendment will allow Kentucky State Parks to establish youth-only and statewide spring hunting season opportunities for wild turkeys on state parks.
- (b) The necessity of the amendment to this administrative regulation: This amendment is necessary to allow Kentucky State Parks to establish special spring hunting opportunities for wild turkeys on state parks.
- (c) How the amendment conforms to the content of the authorizing statutes: See (1)(c) above.
- (d) How the amendment will assist in the effective administration of the statutes: See (1)(d) above.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: It is unknown how many turkey hunters will participate in state park turkey hunts during the spring season. However, there are approximately 85,000 resident 5,500 non-resident turkey hunters in Kentucky.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

- (a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: There will be potentially additional opportunity for hunters wishing to pursue turkeys on state parks. Hunters will need to abide by all license requirements and hunter restrictions as detailed in this administrative regulation.
- (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There will be no new costs associated with the

opportunity to hunt wild turkeys on state parks; all hunters must possess the appropriate licenses and permits required to hunt turkeys in the spring.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Hunters will be allowed to pursue wild turkeys on hunts administered by the Department of Parks during the youth and general statewide spring seasons.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There will be no additional cost to the department to implement this administrative regulation.

(b) On a continuing basis: There will be no additional cost to the department on a continuing basis.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The source of funding is the State Game and Fish Fund.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: It will not be necessary to increase any other fees or to increase funding to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish fees or directly or indirectly increase any fees.

(9) TIERING: Is tiering applied? (Explain why or why not): Tiering is not applied because all wild turkey hunters in Kentucky must comply with the requirements of this administrative regulation.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 301 KAR 2:142
Contact Person: Rose Mack
Phone number: (502) 564-3400

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Department of Fish and Wildlife Resources Divisions of Wildlife and Law Enforcement and the Kentucky Department of Parks will be impacted by this administrative regulation.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 150.025(1) authorizes the department to promulgate administrative regulations to set seasons, establish bag or creel limits, to regulate the buying, selling, or transporting of fish and wildlife, and to make these requirements apply to a limited area. KRS 150.390(1) restricts the possession, taking, or pursuit of turkeys in any manner contrary to the provisions of Chapter 150 or its regulations.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? It is unlikely additional revenue will be generated for the department during the first year. However, the Department of Parks may generate some additional revenue associated with lodging and dining expenses incurred by persons participating in these hunts.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? It is unlikely much additional revenue will be generated for the Kentucky Department of Fish and Wildlife by this administrative regulation in subsequent years. The Department of Parks may generate some additional revenue associated with lodging and dining expenses incurred by persons participating in these hunts.

(c) How much will it cost to administer this program for the first year? There will be no additional costs incurred for the first year.

(d) How much will it cost to administer this program for subsequent years? There will be no additional costs incurred in subsequent years.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: